

# PLANNING COMMISSION REPORT



MEETING DATE: November 9, 2005

ITEM NO. \_\_\_\_\_

GOAL: Coordinate Planning to Balance Infrastructure

## SUBJECT

**Gourmet Corner - 18-UP-2005**

## REQUEST

Request approval of a conditional use permit for a Delicatessen located in a 1492 +/- square foot suite of an existing building located at 9096 E. Bahia Drive #109 with Industrial Park, Planned Community District (I-1 PCD) zoning.

### Key Items for Consideration:

- The delicatessen/ restaurant is situated in an existing multi-tenant office, warehouse building within the McDowell Mountain Business Park.
- The applicant intends to serve food at a small delicatessen/ restaurant to the customers in the Business Park area.
- The delicatessen/ restaurant is compatible with surrounding uses.
- No public opposition has been received on this case.

### Related Policies, References:

- Case 33-ZN-2000 established the Horseman's Park (East and West) areas as a Planned Community (PCD) District Overlay on December 27, 2000.

## OWNER

Gennady Beneson  
602-482-8477

## APPLICANT CONTACT

Dave Slogar  
Land Research and Development Inc  
480-538-5474

## LOCATION

9096 E. Bahia Drive Unit 109, at the northeast corner of N. 91<sup>st</sup> Street and E. Bahia Drive.

## BACKGROUND

### Zoning.

The site is zoned I-1 PCD Industrial Park District. The I-1 zoning district allows for a variety of office, manufacturing and warehouse uses and lists delicatessen/ restaurant as conditional uses. Delicatessens/ restaurants must serve the surrounding Industrial/ Business Park area and not be detrimental due to traffic, noise or the character of the area. The Planned Community Development or PCD category refers to the Horseman's Park overlay that provides overall design and development standards for the area.



**General Plan.**

The General Plan Land Use Element designates the property as Employment use. An Employment category permits a range of employment uses such as light industrial, offices, and other mixed uses. This category of land use is designed to be located where impacts on residential neighborhoods are minimized and access is available to labor pools and transportation facilities.

**Context.**

This subdivision is located in the larger, 8-acre 90<sup>th</sup> Street and Bahia Business Park Condominium at the McDowell Mountain Business Center.

Adjacent Uses or Zoning:

- North Office and warehouse uses in the 90<sup>th</sup> and Bahia Business Park with I-1 (PCD) District zoning.
- South E. Bahia Drive and office warehouse uses with similar I-1 (PCD) District zoning.
- East N. 91<sup>st</sup> Street and other office warehouse uses with I-1 zoning.
- West Office and warehouse uses in the Business Center with I-1 (PCD) District zoning.

APPLICANT'S  
PROPOSAL

**Goal/Purpose of Request.**

The request is to approve a use permit for a small delicatessen/ restaurant in an existing nine (9)-suite office, warehouse building in the McDowell Mountain Business Center. The delicatessen/ restaurant will serve business park area customers with prepared meals, sandwiches, salads and beverages from the associated kitchen. The use will contain 4-5 tables with a seating capacity of approximately 20-25 people. Both dine-in and take-out food service is provided. Delivery of food at lunch hour is also available. Hours of operation are 7:00 AM to 6:00 PM. daily and will include breakfast, lunch and early dinner. No alcohol will be served. The delicatessen/ restaurant is relatively small with a combined floor area of 1,021 square feet, plus kitchen area. Adequate parking is available at the front and east sides of the site. The delicatessen/ restaurant is reasonably compatible with and will not adversely impact adjacent uses.

**Development information.**

- *Existing Use:* Office/ warehouse building within an 8 building business park
- *Buildings/Description:* Two story office warehouse suite
- *Parcel Size:* 1.56 acre portion of the larger 8.38 acres (365,163 square feet) business park
- *Building Height Allowed:* 36 feet (42 feet including mechanical screening)
- *Existing Building Height:* 28 feet
- *Floor Area:* The overall 8-acre site contains 137,629 square feet of floor area while the subject building contains 27,449 square feet. The proposed delicatessen/ restaurant contains 1,492 square feet including the

471 square foot kitchen and 1021 square foot serving area (768 square foot delicatessen and 253 square foot restaurant dining area).

- *Other:* FAR. Allowed is 0.400, provided is 0.376

## IMPACT ANALYSIS

### **Traffic.**

The building has access to both N. 91<sup>st</sup> Street and E. Bahia Drive toward the south and east. Drive aisles are located along the south, east and north sides of the building with delivery along the north side. Parking is located along the south and east sides. This use is anticipated to generate about 150 vehicle trips per day including employees and customers. Delicatessen/ restaurant seating is provided for about twenty-five (25) patrons so traffic generation is expected to be relatively minor.

N. 91<sup>st</sup> Street and E. Bahia Drive can accommodate the level of traffic proposed including expected delivery vehicle traffic. Delivery of food to customers is provided at lunch hour. The loading area is internally oriented and situated along the north side of the building and not visible from E. Bahia Drive. The driveways are of adequate size to accommodate vehicle movement including loading/ unloading and delivery vehicles. The amount and type of vehicles serving this use will not adversely impact other office or industrial traffic at the site.

### **Parking.**

- 10 spaces are required and 13 spaces are provided for this use. Approximately 320 spaces are required and 326 spaces are provided for the overall business park site. Sufficient parking is available on site for this use. Parking areas are situated along the south and east sides of the building. Two (2) of the 9 suites in the multi-tenant building are used by the Covenant Church and has its primary parking need on Sundays only.

### **Water/Sewer.**

Existing site sewer and water service is provided by the City of Scottsdale.

### **Fire.**

The facility contains a water suppressant sprinkler system suitable for this use. Adequate emergency vehicle circulation and turning radius movements are provided.

### **Open space.**

On the overall 8-acre site, 92,600 square feet of open space is provided with 79,200 square feet required. A minimum 25-foot wide landscape buffer is provided along the property's E. Bahia Drive frontage. This property meets the required open space area and parking lot setback requirements. No public trails are located on this site.

### **Policy Implications.**

The delicatessen/ restaurant is located within a business park, adjoining other

offices, warehouses, and a church use and will serve customers from this area. Adequate provision for traffic circulation and vehicle parking is provided on the site. The use is compatible with this area and will not adversely impact adjoining uses.

**Use Permit Criteria.**

Conditional use permits, which may be revocable, conditional, or valid for a specified time period, may be granted only when expressly permitted after the Planning Commission has made a recommendation and the City Council has found as follows:

- A. That the granting of such conditional use permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration shall include, but not be limited to, the following factors:
1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
    - *The delicatessen/ restaurant use will be situated within the existing multi-tenant office/ warehouse building and will not have an adverse impact as a result from smoke, odor or noise. Food cooking areas within the kitchen will contain commercial standard range hoods and filter systems. Lighting currently exists on the site and is shielded and directed downward conforming to City lighting policy. Minimal noise will be associated with the delicatessen/ restaurant operation and dust and vibration are not associated with this use.*
  2. Impact on surrounding areas resulting from an unusual volume or character of traffic.
    - *The existing E. Bahia Drive and N. 91<sup>st</sup> Street road system can accommodate the level and type of traffic generated by the use. Food delivery is provided during lunch hour and will use the existing internal site driveways to access the loading area at the north (rear) side of the building. The amount and type of vehicles using or serving this facility will not adversely impact those of adjoining businesses or streets within this area.*
  3. There are no other factors associated with this project that will be materially detrimental to the public.
    - *The delicatessen/ restaurant use will not adversely impact adjoining business or industrial uses. No residences are located in this area. No adverse impacts are expected as a result of this use.*
- B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.
  - *A restaurant will provide a service to the employees in the business park. The use is reasonably compatible with the adjacent industrial zoned uses consisting of offices and warehouses and efforts have been made to mitigate impacts upon adjacent properties.*
- C. The additional conditions specified in Section 1.403, as applicable, have been satisfied.

- *No other requirements apply to this use in this section.*

**Community Involvement.**

The applicant sent notification letters to 46 property owners located within 750 feet of the site and has posted an Under Consideration sign on the property. A neighborhood meeting was held on August 4, 2005, to discuss this project. No neighbors attended the meeting. The applicant received an e-mail from a neighbor supporting the proposal. Staff has received no comments.

**Community Impact.**

The delicatessen/ restaurant use is reasonably compatible with adjacent uses and will not create an adverse impact on those uses. The delicatessen/ restaurant will serve customers within the McDowell Mountain Business Park area.

STAFF  
RECOMMENDATION

**Recommended Approach:**

Staff recommends approval, subject to the attached stipulations.


RESPONSIBLE  
DEPT(S)

**Planning and Development Services Department**  
Current Planning Services

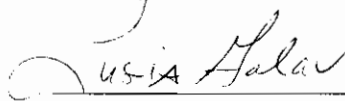
STAFF CONTACT(S)

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**APPROVED BY**



Al Ward, AICP  
Report Author



Lusia Galav, AICP  
Current Planning Director

**ATTACHMENTS**

1. Applicant's Narrative
2. Context Aerial
- 2A. Aerial Close-Up
3. Land Use Map
4. Zoning Map
5. Stipulations
6. Citizen Involvement
7. City Notification Map
8. Site Plan
9. Floor Plan

## **Project Narrative**

Gourmet Corner will occupy approximately fifty (50%) percent of one suite (#109) in an approximate 21,912 sq. ft. Multi-tenant Office/Warehouse Condominium project located at the north west corner of East Bahia Drive and 91<sup>st</sup> Street presently under construction in North Scottsdale. The building is part of an eight (8) building project called 90<sup>th</sup> Street & Bahia Business park within the McDowell Mountain Business Park.

There is ingress/egress from both East Bahia Drive and 91<sup>st</sup> Street to the building with a total of 55 parking spaces. 26 spaces are assigned and 29 spaces designated common area parking with the majority of these spaces located to the east end of the building nearest to suite 109. (please see attached parking allocation for Building "A").

Gourmet Corner will be a delicatessen serving the McDowell Mountain Business Park and surrounding area's including the Greater Scottsdale Airpark and Perimeter Center Office Park. Hours of business will be from approximately 7:00 am to 6:00 pm serving Breakfast, Lunch and early Dinner (dine in/take out). We anticipate the need for delivery services for the lunch hour in the immediate area.

**ATTACHMENT #1**

18-UP-2005  
8-22-05





Q.S.  
36-49

G.I.S. ORTHOPHOTO 2003

Gourmet Corner

18-UP-2005

ATTACHMENT #2





Gourmet Corner

18-UP-2005

ATTACHMENT #2A

# General Plan



**18-UP-2005**  
ATTACHMENT #3

Adopted by City Council October 30, 2001  
Ratified by Scottsdale voters March 12, 2002  
revised to show McDowell Sonoran Preserve as of May 2004  
revised to reflect General Plan amendments through June 2004



18-UP-2005

ATTACHMENT #4

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## **STIPULATIONS FOR CASE 18-UP-2005**

### **PLANNING/ DEVELOPMENT**

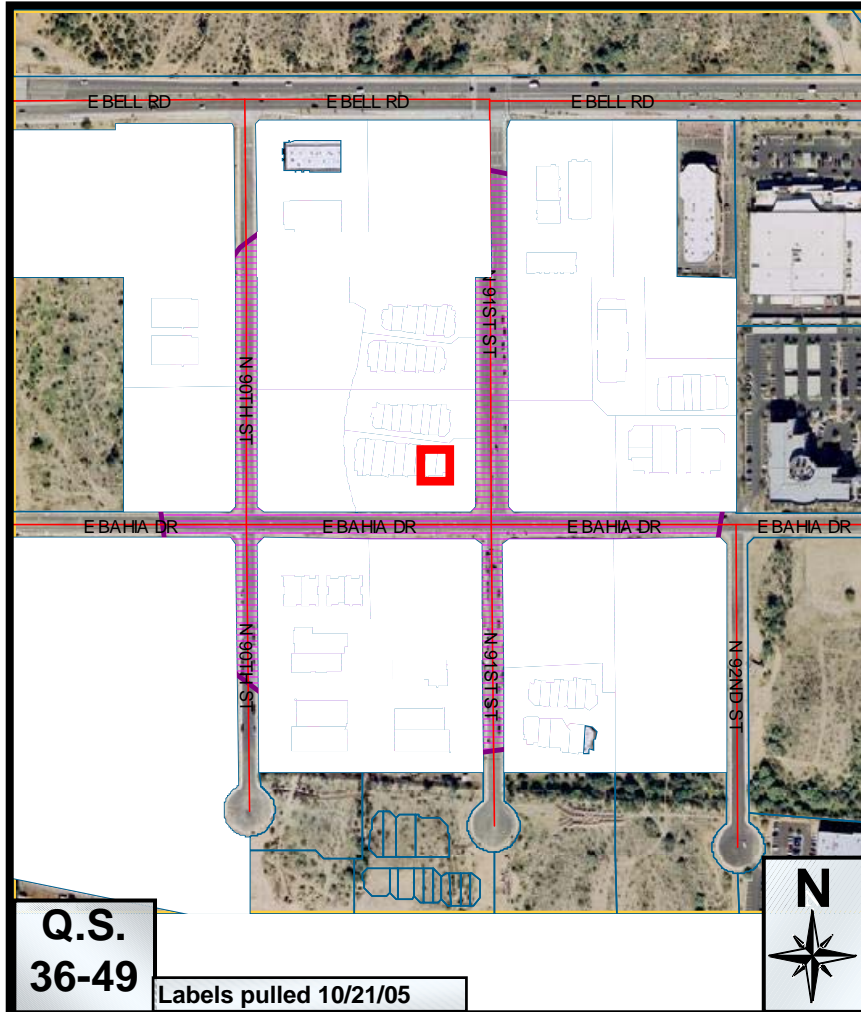
1. **CONFORMANCE TO DEVELOPMENT SUBMITTAL.** Development shall conform with the site plan submitted by James Elson Architects and staff dated 8/22/2005. These stipulations take precedence over the above-referenced site plan. Any proposed significant change, as determined by the Zoning Administrator, shall be subject to subsequent public hearings before the Planning Commission and City Council.
2. **REFUSE ENCLOSURE** – Before issuance of a final Certificate of Occupancy, the developer shall modify the existing refuse enclosure on site to include a grease trap to the satisfaction of Final Plans staff. The refuse enclosure shall conform to Detail #2146-2 of the City of Scottsdale Supplement to the MAG Standards.
3. **MITIGATION OF ODORS** – With the submittal of the tenant improvement plans, the applicant shall demonstrate how they plan to mitigate odors that could cause a nuisance to surrounding businesses and properties, relating specifically to the handling and preparation of food and the operation of the grease interceptor, to the satisfaction of Final Plans staff. The applicant shall operate the facility in conformance with the plans, as approved.
4. **COMMERCIAL RANGE HOOD(S)** – With the submittal of tenant improvement plans, the applicant shall provide details verifying provision of a commercial range hood(s) over cooking areas; and that the installation, operation, and maintenance of food cooker(s) will create minimal smoke and odor emissions and limit potential adverse impact on adjacent businesses and properties, to the satisfaction of Final Plans staff. The applicant shall operate the facility in conformance with the details, as approved.
5. **DELIVERY VEHICLE LOADING** – With the submittal of the tenant improvement plans, the developer shall provide a vehicle loading plan to verify that deliveries can be made without disrupting or blocking adjacent businesses, drive aisles, and parking to the satisfaction of Final Plans staff. The applicant shall operate the facility in conformance with the plans, as approved.
6. **SITE LIGHTING** – All wall-mounted security lighting, or other proposed exterior fixtures associated with this use, shall be fully shielded and directed downward so the light source is not visible from adjacent properties, to the satisfaction of Final Plans staff.
7. **SEATING CAPACITY**- Maximum indoor patron seating capacity for the restaurant shall not exceed 25.
8. **EQUIPMENT UPGRADE**- At the request of the City, the applicant may be required to change/ upgrade equipment related to stipulations 3 and 4 above, if operation of equipment in the opinion of City staff is not adequate to mitigate odors or smoke relating to food preparation.
9. **PARKING**- With the submittal of the tenant improvement plans, the developer shall submit a plan designating a minimum of 10 parking spaces on the site for the use and operation of the delicatessen/ restaurant, for exclusive use during business hours.

Gourmet Corner (18-UP-2005)  
Attachment #6 Citizen Involvement

The above attachment is on file at the City of  
Scottsdale Current Planning office,  
7447 E Indian School Road, Suite 105.



# City Notifications – Mailing List Selection Map



## Map Legend:



Site Boundary



Properties within 750-feet

## Additional Notifications:

- Interested Parties

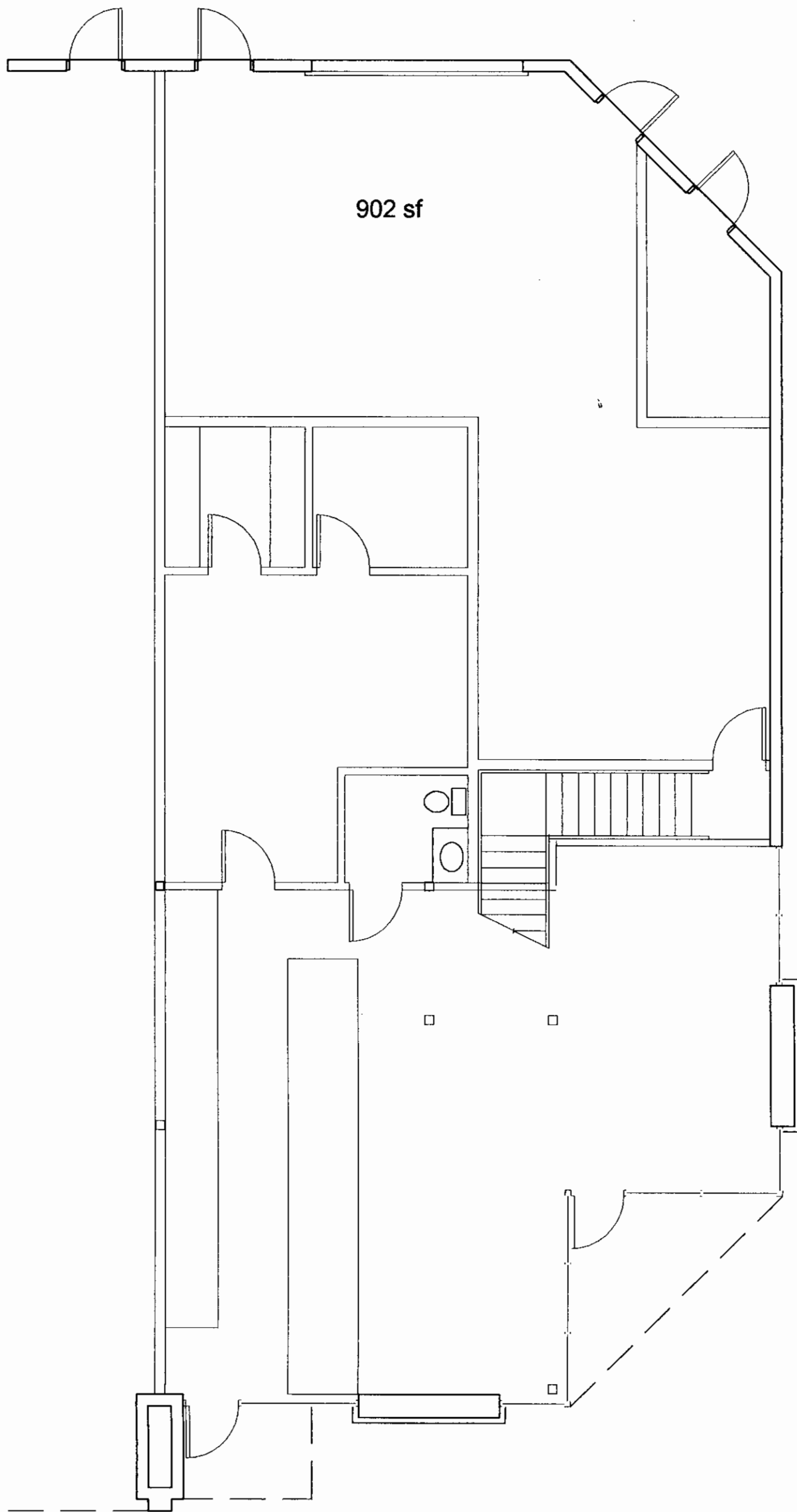
Gourmet Corner

**18-UP-2005**

ATTACHMENT #7







902 sf

## RESTAURANT

SERVING	1021 sf
KITCHEN	471 sf

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TOTAL	1492 sf
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